

5. The camera apparatus according to claim 1, wherein the exposure correction means corrects a shutter speed and a diaphragm and controls a gain and a strobe flashing in a case where a shutter is released on the basis of the detected information relating to the movement of the object.

a) 6. The camera apparatus according to claim 1, further comprising means for temporarily storing a plurality of images picked up by the imaging device before and after a shutter is released, and retaining, when the shutter is released, only the picked-up image in which the movement of the object is the smallest out of the picked-up images temporarily stored before and after the shutter is released.

Marked up copies of the amended claims are enclosed are required under 37 C.F.R. § 1.121.

#### **REMARKS**

The above amendments and the following remarks are fully and completely responsive to the Office Action dated December 20, 2000. Claims 1-7 are pending in this application. In the outstanding Office Action claims 2-6 were rejected under 35 U.S.C. § 112, second paragraph; claims 1-5, 7 were rejected under 35 U.S.C. § 102(b); and claim 6 was rejected under 35 U.S.C. § 103(a). No new matter has been entered. Claims 1-7 are presented for reconsideration.

#### **SPECIFICATION**

The abstract of the disclosure was objected to for formal matters and for the use of legal phraseology. The replacement abstract corrects these deficiencies and

removes the legal phraseology. Consequently, Applicants respectfully request reconsideration and withdrawal of the objection to the abstract.

The title of the invention was objected to as not being descriptive. The Applicant's have adopted the title suggested by the Examiner. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to the title.

**35 U.S.C. § 112, second paragraph**

Claims 2-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action noted numerous instances of insufficient antecedent basis for limitations in the claims. Applicant has amended claims 2-6 to correct and provide proper antecedent basis for each of the limitations in these claims. Accordingly, applicant respectfully request reconsideration and withdrawal of the rejection of claims 2-6 under 35 U.S.C. § 112, second paragraph.

**35 U.S.C. § 102(b)**

Claims 1-5 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kinjo (U.S. Patent No. 5,289,227). Applicant respectfully requests reconsideration of this rejection.

Claim 1 recites a camera apparatus that includes an imaging device. The camera also includes a means for detecting information relating to the movement of an object on the basis of the output of the imaging device. An exposure determination means, determines the exposure. An exposure correction means makes exposure

correction to the exposure determined by the exposure determinations on the basis of the detected information relating to the movement of the object.

Kinjo discloses a method of automatically controlling exposure and focusing in a camera and a method of controlling printing exposure. The device includes a camera apparatus having an imaging device 20. A position/distance detecting circuit 26 and main object detecting circuit 30 detect information relating to the movement of an object on the basis of the output of the imaging device 20. The main object detecting circuit outputs the distance to the main object to the lens setting unit 32 and the taking exposure control circuit 34. Exposure control circuit 34 controls the diaphragm of lens 33 with diaphragm driver 47 and controls shutter with the shutter speed driver 48. The lens setting unit 32 controls the lens 33 whereby the lens 33 has the proper focus for the distance determined to the main object.

While it appears that Kinjo teaches setting the exposure according to the distance to the main object determined by the main object detecting circuit 30, Kinjo fails to teach and/or suggest correcting the exposure determined by the exposure determination means on the basis of the detected information relating to the movement of the object. Therefore, Kinjo fails to teach and/or suggest the claimed exposure correction means.

Since Kinjo fails to teach and every element of the claimed invention, applicant respectfully requests reconsideration withdrawal of the rejection of claims 1-5 and 7 under 35 U.S.C. § 102(b).

**35 U.S.C. § 103(a)**

Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Kinjo (discussed above) and Takahashi (U.S. Patent No. 5,969,761). The Office Action admits that Kinjo fails to specifically disclose the following claim elements: means for temporarily storing a plurality of images and retaining, when the shutter is released, only the picked-up image in which the movement of the object is the smallest from the picked-up images temporarily stored before and after the shutter is released. The Office Action cites Takahashi as correcting this deficiency in Kinjo.

Takahashi teaches an image sensing device that is adapted to compose an appropriate single picture from two pictures of different exposures obtained from the same subject. This is accomplished by saving an exposure taken at 1/1000th of a second and obtaining a second image at a second exposure of 1/60th of a second. Due to the differences in these exposures there will be a tendency to generate background white blanking in portions of the 1/60th of a second exposure and blackening in portions of the 1/1000th of a second exposure. Takahashi utilizes the white blanking and/or blackening portions to improve the picture quality by replacing the portions generating white blankings or blackenings with corresponding parts from the other exposure. This combination of the images from the 1/60th of a second exposure and the 1/1000th of a second exposure are then combined into a final image signal.

While Takahashi discloses a method for improving the exposure of the final image signal, it appears, however, that Takahashi fails to disclose storing a plurality of images both before and after the shutter is released. Furthermore, Takahashi fails to disclose selecting the image where the movement of the object is the smallest. This is

particularly obvious when carefully reading Takahashi since Takahashi picks not the entire image but only a portion of the image and that portion of an image selected is the portion having a better exposure than the portion replaced. Additionally, Takahashi fails to correct the problems in Kinjo as discussed above.

Since the combination of Takahashi and Kinjo fails to teach and/or suggest each and every element of the claimed invention, applicant respectfully requests reconsideration and withdrawal of the rejection of claim 6 under 35 U.S.C. § 103(a).

## **CONCLUSION**


Applicant's amendments and remarks have clearly overcome the objections and rejections set forth in the Office Action dated December 20, 2000. Specifically, the amendment to the title and the replacement abstract overcome the objections to the specification. Applicant's amendments to claims 2-6 provide proper antecedent basis for each element of the claimed invention and thus overcome the rejection of these claims under 35 U.S.C. § 112, second paragraph. Applicant's remarks have distinguished the claimed invention from Kinjo and thus, overcome the rejection of claims 1-5 and 7 under 35 U.S.C. § 102(b). Applicant's remarks have also distinguished the claimed invention from the combination of Kinjo and Takahashi and thus overcome 35 U.S.C. § 103(a) rejection of claim 6. Consequently, claims 1-7 are in condition for allowance. Therefore, Applicant's respectfully request consideration and allowance of claims 1-7.

Applicant's submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants

respectfully request that the Examiner contact the undersigned Attorney by telephone, if it is believed that such contact will expedite the prosecution of the application.

The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 01-2300, referencing Attorney Docket No. 107314-08005.

Respectfully submitted,

  
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Enclosures: Abstract  
Petition for Extension of Time  
Marked-up Amended Claims

**MARKED-UP COPY OF AMENDED CLAIMS AS REQUIRED UNDER 37 C.F.R. § 1.121**

1. A camera apparatus comprising:  
an imaging device;  
means for detecting information relating to the movement of an object on the basis of an output of the imaging device;  
exposure determination means for determining the exposure; and  
exposure correction means for making exposure correction to the exposure determined by the exposure determination means on the basis of the detected information relating to the movement of the object.

2. The camera apparatus according to claim 1, wherein  
the exposure correction means corrects [the] a shutter speed on the basis of the detected information relating to the movement of the object.

3. The camera apparatus according to claim 1, wherein  
the exposure correction means corrects [the] a shutter speed and [the] a diaphragm on the basis of the detected information relating to the movement of the object.

4. The camera apparatus according to claim 1, wherein  
the exposure correction means corrects [the] a shutter speed and [the] a diaphragm and controls [the] a gain on the basis of the detected information relating to the movement of the object.

5. The camera apparatus according to claim 1, wherein the exposure correction means corrects [the] a shutter speed and [the] a diaphragm and controls [the] a gain and [the] a strobo flashing in a case where a shutter is released on the basis of the detected information relating to the movement of the object.

6. The camera apparatus according to claim 1, further comprising means for temporarily storing a plurality of images picked up by the imaging device before and after [the] a shutter is released, and retaining, when the shutter is released, only the picked-up image in which the movement of the object is the smallest out of the picked-up images temporarily stored before and after the shutter is released.